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ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA, SOUTH CAROLINA

May 28, 2008

VIA ELECTRONIC FILING

Bonnie D. Shealy

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Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Synergy Business Park, Saluda Building
101 Executive Center Drive
Columbia, SC 29210

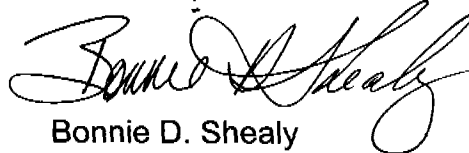
**Re: Windstream notice to terminate current interconnection agreement
with Time Warner Telecom of South Carolina LLC
Docket No. 2005-77-C**

Dear Charlie:

Attached for filing please find Time Warner Telecom of South Carolina LLC's letter in response to Windstream's notice of termination of the existing interconnection agreement between the companies filed with the Commission on April 21, 2008. Should you have any questions, please contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.



Bonnie D. Shealy

/bds
Enclosure

cc/enc: Ms. Carolyn Ridley (via email)
Burnet R. Maybank, III (via email & U.S. Mail)
Dan F. Arnett, ORS Chief of Staff (via email & U.S. Mail)
Florence Belser, General Counsel ORS (via email & U.S. Mail)
Ms. Julie Mendenhall (via email)
Ms. Adrienne Leonard (via email)

STATE OF SOUTH CAROLINA

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

Approval of the Interconnection Agreement Negotiated
between Windstream South Carolina, Incorporated
f/k/a/Alltel South Carolina, Incorporated and Time
Warner Telecom of South Carolina, LLC

COVER SHEET

**DOCKET
NUMBER: 2005-77-C**

(Please type or print)

Submitted by: Bonnie D. Shealy

SC Bar Number: 11125

Address: Robinson, McFadden & Moore, P.C.
PO Box 944
Columbia, SC 29202

Telephone: (803) 779-8900

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Other: _____

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition** ☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:** _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigatio
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



VIA FEDERAL EXPRESS

5/28/08

Windstream Communications
Traci Brunner
4001 Rodney Parham Road
Mailstop: 1170 B1F2-1212A
Little Rock, AR 72212
T: 501-748-6555
F: 501-748-6583

RE: Response to Official Notice to Terminate the Current Interconnection Agreement in South Carolina by and between Windstream South Carolina, Inc. and Time Warner Telecom of South Carolina LLC sent by Windstream South Carolina, Inc. on April 18, 2008

Dear Ms. Brunner:

Time Warner Telecom of South Carolina LLC ("TWTC") has received your letter dated 04/18/08 requesting termination of the existing Interconnection Agreement ("ICA") that was made effective April 12, 2005 in Docket No. 2005-77-C by and between our companies. We believe the termination letter was sent to us, and filed with the South Carolina Public Service Commission ("SC PSC"), in error, and a misinterpretation of the ICA, as we are operating lawfully and in accordance with the ICA in South Carolina. Furthermore, the termination letter was an ineffective notice vehicle to request the renegotiation of the ICA. Therefore, if Windstream desires to renegotiate the existing and current ICA with TWTC, Windstream should send TWTC a proper notice requesting renegotiations of the ICA pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. Upon receipt of the notice letter to renegotiate the ICA, the official "clock" will start and the Parties can commence negotiations and/ or arbitration as necessary. The intent of the parties under Section 4.4 is that the existing ICA remains lawful and in full force and effect during the renegotiations, and if, in accordance with Section 4.3, a new ICA has not been established within 135 days of commencing negotiations, either party may extend the negotiations window or petition the SC PSC to establish terms, conditions and prices for the new ICA.

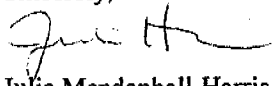
We respectfully request that Windstream withdraw the termination letter at the SC PSC and send TWTC a valid written request for renegotiation of the ICA so that TWTC does not have to take any regulatory action to preserve its rights.

In addition, please send all future notices to TWTC to the following. The information should already be in the contract. If not, please update accordingly.

To:
Attn: Tina Davis
Sr. Vice President Deputy General Counsel
10475 Park Meadows Dr
Littleton, CO 80124
Office: (303) 566-1279
Fax: (303) 566-1010

With a copy to:
Attn: Carolyn Ridley
Vice President Regulatory
555 Church Street, Suite 2300
Nashville, TN 37219
Office: (615) 376-6404
Fax: (615) 376-6405

Sincerely,



Julie Mendenhall-Harris
Manager – Interconnection Negotiations & Operations
Time Warner Telecom
10475 Park Meadows Dr
Littleton, CO 80124
303-566-1227

Cc: South Carolina Public Service Commission
Carolyn Ridley, Time Warner Telecom, Vice President Regulatory
Adrienne Leonard, Time Warner Telecom, Sr. Counsel
Suraya Yahaya, Time Warner Telecom, Director ILEC Carrier Management &
Interconnection Negotiations